

**ENGINEERING AND LAND SURVEYING EXAMINING  
BOARD[193C]**

**Adopted and Filed**

**Rule making related to application and renewal process**

The Engineering and Land Surveying Examining Board hereby amends Chapter 3, “Application and Renewal Process,” and Chapter 5, “Land Surveying Licensure,” Iowa Administrative Code.

*Legal Authority for Rule Making*

This rule making is adopted under the authority provided in Iowa Code sections 542.10 and 542B.6.

*State or Federal Law Implemented*

This rule making implements, in whole or in part, 2020 Iowa Acts, House Files 2389 and 2627.

*Purpose and Summary*

This rule making creates a provision where an out-of-state-licensed land surveyor may be granted a temporary Iowa land surveyor’s license. Item 2 contains a cross-reference to rule 193—14.4(272C), regarding licensure by verification, which will be proposed in a future rule making.

*Public Comment and Changes to Rule Making*

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on December 30, 2020, as **ARC 5356C**. The proposed amendments were approved by the Board on November 12, 2020. A public hearing was held on January 21, 2021. No one attended the public hearing. One written comment in opposition was received. The individual opposed the provision for a temporary license for land surveyors who have not passed the Iowa State Specific Land Surveying Examination. No changes from the Notice have been made.

*Adoption of Rule Making*

This rule making was adopted by the Board on March 11, 2021.

*Fiscal Impact*

This rule making has minimal fiscal impact to the State of Iowa. It is unknown how many individuals would seek an eligibility determination due to a criminal conviction prior to applying, which determination would result in the collection by the Professional Licensing Bureau of a \$25 fee to recover the associated costs as set forth in 2020 Iowa Acts, House File 2627.

*Jobs Impact*

After analysis and review of this rule making, there is a potential positive impact on jobs as individuals who may have been ineligible for licensure may be eligible for licensure.

*Waivers*

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Board for a waiver of the discretionary provisions, if any, pursuant to 193—Chapter 5.

*Review by Administrative Rules Review Committee*

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

*Effective Date*

This rule making will become effective on May 26, 2021.

The following rule-making actions are adopted:

ITEM 1. Amend subrule 3.3(4) as follows:

**3.3(4)** Temporary permits. The board does not issue temporary permits except as provided for in rule 193C—5.3(542B,272C). Based upon review by a board member, temporary permits were previously issued to applicants whose applications met all requirements and who were expected to qualify for approval by the full board at the next regularly scheduled board meeting. Since applications that meet these criteria are now routinely processed as they are completed and reviewed, temporary permits are no longer necessary.

ITEM 2. Adopt the following new rule 193C—5.3(542B,272C):

**193C—5.3(542B,272C) Licensure by verification.** In addition to the requirements of rule 193—14.4(272C), professional land surveying candidates applying for an Iowa license by verification must pass the Iowa State Specific Land Surveying examination prior to being issued a license. The board will issue a temporary license that is valid for a period of three months to professional land surveying candidates who have not yet passed the Iowa State Specific Land Surveying examination prior to their application. The professional land surveying candidate may request one renewal of the temporary license for an additional period of three months.

This rule is intended to implement Iowa Code section 272C.12.

[Filed 3/29/21, effective 5/26/21]

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EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 4/21/21.